

Mack Press, Esq.  
9 Pimlico Court  
Commack, NY 11725  
516.330.7213 mack@mackpress.com

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July 10, 2020

The Honorable Joseph A. Dickson  
United States Magistrate Judge  
King Fed. Bldg. & United States Courthouse  
50 Walnut St., P.O. Box 999  
Newark, New Jersey 07101-0999

**Re: White, et al. v. Samsung Electronics America, Inc., et al.,  
Case No. 17-1775 (MCA)(JAD)  
Extension of Time Concerning Briefing Schedule**

Dear Honorable Judge Dickson:

I write with respect to Your Honor's Order dated July 7, 2020 (ECF No. 148), which set, amongst other scheduling deadlines, the time-frame for Plaintiffs to respond to Defendant Samsung's and Defendant Sony's recently-filed motions to compel arbitration / class-action waiver.

By way of this letter, I respectfully request from Your Honor additional time for Plaintiffs to respond to Defendants' instant motions to compel arbitration / class waiver (currently set by You Honor for 8/4/2020) for two reasons.

First, I have been experiencing some extremely-painful gastro and stomach issues and, after going to the hospital and getting an endoscopy performed, I was recently diagnosed with a herniated stomach. I am currently being treated by my doctor, and these health issues have caused a delay in my ability to respond to the current August 4, 2020 deadline. I also have several medical appointments / procedures in the next several weeks concerning these medical issues.

Since I am the primary attorney responding to Defendants' current arbitration / class waiver motions, I ask for additional time to respond to

Defendants' instant motions so that my personal medical issues will not take away from Plaintiffs' ability to properly oppose the current motions.

But aside from my medical issues, I also respectfully request from Your Honor additional time for Plaintiffs' to respond to Defendants' instant motions to compel arbitration / class waiver because Plaintiffs' need limited discovery (and limited time to review that discovery) from Defendants' in order to properly respond to Defendants' instant motions. Specifically, it is Plaintiffs position that, at the start of this litigation (in the beginning of March 2107), Defendants knew or should have known about the purported arbitration/ class waiver clauses *that they now seek to enforce over three years (and 148 Docket entities) later*. Therefore, to allow Plaintiffs to properly respond to Defendants' instant motions, Plaintiffs respectfully request from the Court limited discovery from Defendants concerning when Defendants knew or should have known that the Smart TVs they sell purportedly contain(ed) arbitration and/or class waiver clauses, including, but not not limited to, any changes made by Defendants to those purported clauses during the Class Period.

Accordingly, at this time, counsel for Plaintiffs respectfully asks Your Honor:

- (i) to require Defendants to produce to Plaintiffs' counsel limited discovery concerning when Defendants knew or should have known that the Smart TVs they sell purportedly contain(ed) arbitration and/or class waiver clauses, including, but not not limited to, any changes made by Defendants to those purported clauses during the Class Period; and
- (ii) to extend Plaintiffs' time to respond to Defendants' motions to compel arbitration / class-action waiver until August 19, 2020.

Respectfully,

/s/ Mack Press

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Mack Press  
Counsel for Plaintiffs

Cc: all parties via ECF